

CONFIDENTIAL

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SEP 5 1953

The Honorable William E. Jenner
Chairman, Internal Security Subcommittee
Committee on the Judiciary
United States Senate
Washington 25, D. C.

Dear Mr. Chairman:

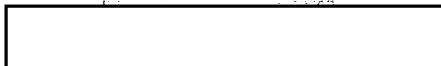
This is with reference to your letter of 4 August 1953, with which you transmitted a copy of the record of Top Secret hearings held by the Internal Security Subcommittee of the Senate Committee on the Judiciary in the case of Mr. John Paton Davies, Jr.

This matter originated in a request on 27 July by your Subcommittee Counsel, Mr. Robert Morris, to Mr. Walter Pforzheimer, our Legislative Counsel, for CIA's views on the release of this testimony to Mr. McLeod, Administrator of the Bureau of Security, Consular Affairs, and Personnel of the Department of State, so that the testimony might be considered in connection with Departmental review of the case of Mr. Davies.

On 4 August 1953, we received an official request from the Under Secretary of State, General Smith, that the Department be furnished a copy of General Smith's testimony before the Subcommittee in the Davies case, together with whatever other testimony might be pertinent in this matter, so that the information therein might be utilized in evaluating Mr. Davies in accordance with the President's Executive Order 10450 (Security Requirements for Government Employment). General Smith noted that it might be necessary for the Director of Central Intelligence to make certain deletions from the testimony, in connection with his statutory responsibility as Director under the National Security Act of 1947 to protect intelligence sources and methods from unauthorized disclosure. A copy of General Smith's memorandum is attached herewith for your information.

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The entire testimony which you forwarded to us was examined in the light of General Smith's request. The amount of testimony dealing with such protected intelligence sources and methods is considerable. Rather than deleting that portion of the testimony, we propose to forward the copy of the entire record to the Department of State, as Top Secret matter for the 'Eyes Only' use of Mr. McLeod and the senior Department of State officers responsible for the evaluation of Mr. Davies under the President's new security order. We regret the need for any additional dissemination of this highly classified matter and have some doubts about the relevancy of part of the testimony to the Department of State inquiry. However, because of our reliance on the security control over this record by the designated State Department officers, we wish to make available to them all the evidence which might possibly bear on their inquiry, regardless of any question we might raise as to any other dissemination.

With regard to making deletions in the record for the purpose of making it suitable for public release, we submit the following comments. You will note that the record includes the very complete testimony of present and former employees of this Agency, as well as that of officials of the Department of State, covering highly classified matters involving the work of CIA. Any public disclosure of this record without the deletion of such classified matter would be detrimental to the national security. We would hope that a public disclosure could be avoided.

Would you please inform us whether you concur in the proposal to comply with the request from the Under Secretary of State by making the unexpurgated record available to Mr. McLeod.

OGC:WLP/blc (4 Sept 53)

Distr:

Orig. & 1 - Add 2 - Signer

1 - IG 2 - Legislative Counsel/w/basic

1 - Security 1 - DD/P

Sincerely yours,

SIGNED

C. P. CABELL
Lieutenant General, USAF
Acting Director

Attachment

Memo dtd 4 Aug 53

Originating Office:

Legislative Counsel

Concurrence:

Approved For Release 2007/03/29 : CIA-RDP91-00682R000300210034-2

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Deputy Director/Plans